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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,348	04/09/2004	Kiyoshi Okamoto	CFA00077US	9999

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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION  
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EXAMINER

PACHOL, NICHOLAS C

ART UNIT

PAPER NUMBER

2625

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/821,348

**Applicant(s)**

OKAMOTO, KIYOSHI

**Examiner**

Nicholas C. Pachol

**Art Unit**

2625

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 20-24, 26-30, 32 and 33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-24, 26-30, 32 and 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 20-24, 26-30, 32, and 33 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 20-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Maehara (US 5,852,501).

Regarding Claim 26, Maehara teaches an automatic document feeder connected to an imaging device (Figure 2, element 12 and Column 6, lines 49-50) comprising: a document tray on which a plurality of documents can be placed (Figure 2, element 13 and Column 6, line 50);

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38);

a feeding section configured to feed the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33);

a determining section determining whether the recording mode of the imaging device is a color recording mode or a monochrome recording mode (Column 13, lines 25-37); and

a separation control section controlling timing of starting a separating operation of a next document in the separating section based on the determination of the determining section (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

Regarding Claim 27, Maehara further teaches wherein the separation control section delays the start timing of the separating operation in the color recording mode more than the start timing of the separating operation in the monochrome recording mode (Column 9, lines 24-33).

Regarding Claim 28, Maehara teaches an automatic document feeder connected to an imaging device (Figure 2, element 12 and Column 6, lines 49-50), comprising: a document tray on which a plurality of documents can be place (Figure 2, element 13 and Column 6, lines 50);

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38);

a carrying section carrying the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33);

a determining section determining whether or not the imaging device connected to the automatic document feeder has a color recording function (Column 13, lines 25-37); and

a separation control section controlling timing of starting a separating operation of a next document in the separating section based on the determination of the determining section (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

Regarding Claim 29, Maehara further teaches wherein the separation control section delays the timing of starting the separating operation when the imaging device has the color recording function more than the timing of starting the separating operation when the imaging device has no color recording function (Column 9, lines 24-33).

Regarding Claim 32, Maehara teaches a method for controlling an automatic document feeder connected to a imaging device (Figure 2, element 12 and Column 6,

lines 49-50) including a document tray on which a plurality of documents can be placed (Figure 2, element 14 and Column 6, line 50),

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38), and

a carrying section carrying the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33), the method comprising:

determining whether a recording mode in the imaging device is a color recording mode or a monochrome recording mode (Column 13, lines 25-37); and

controlling a separation start timing of a next document in the separating section based on the determination in the determining step (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

Regarding Claim 33, Maehara teaches a method for controlling an automatic document feeder connected to an imaging device (Figure 2, element 12 and Column 6, lines 49-50) including a document tray on which a plurality of documents can be placed (Figure 2, element 13 and Column 6, line 50),

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38), and

a feeding section feeding the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33), the method comprising:

determining whether or not the imaging device has a color recording function (Column 13, lines 25-37); and

controlling a separation start timing of a next document in the separating section based on the determination in the determining step (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20-22, 24, and 30 rejected under 35 U.S.C. 103(a) as being unpatentable over Maehara (US 5,852,501) in view of Onuki (US 6,201,944).

Regarding Claim 20, Maehara teaches an automatic document feeder (Figure 2, element 12 and Column 6, lines 49-50) comprising:

a document tray on which a plurality of documents can be placed (Figure 2, element 13 and Column 6, line 50);

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38);

a feeding section configured to feed the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33); and

a separation control section controlling timing of starting a separating operation of a next document in the separating section based on the information on the material of the document inputted by the input section (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

Maehara does not teach an input section inputting information on the material of the document.

Onuki does teach an input section inputting information on the material of the document (Column 8, lines 48-63, wherein based on the specification, the material type seems to be defined as if it is a color or monochrome document).

Maehara and Onuki are combinable because they both deal with controlling the operations of a color copier.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Maehara with the teachings of



Onuki for the purpose of allowing the user to define the type of document to be copied (Onuki: Column 8, lines 48-63).

Regarding Claim 21, Maehara does not teach wherein the input section inputs information on whether or not the document is recording paper recorded in color.

Onuki does teach wherein the input section inputs information on whether or not the document is recording paper recorded in color (Column 8, lines 48-63).

Maehara and Onuki are combinable because they both deal with controlling the operations of a color copier.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Maehara with the teachings of Onuki for the purpose of allowing the user to define the type of document to be copied (Onuki: Column 8, lines 48-63).

Regarding Claim 22, Maehara further teaches wherein the separation control section delays the timing of starting a separating operation when the information indicating that the document is color-recorded paper is inputted more than that for normal paper documents (Column 11, lines 35-42 and 48-63).

Regarding Claim 24, Maehara does not teach wherein the input section inputs information set by a console section of a connected imaging device or information set by a console section of the document feeder.

Onuki does teach wherein the input section inputs information set by a console section of a connected imaging device or information set by a console section of the document feeder (Column 8, lines 48-63).

Maehara and Onuki are combinable because they both deal with controlling the operations of a color copier.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Maehara with the teachings of Onuki for the purpose of allowing the user to define the type of document to be copied (Onuki: Column 8, lines 48-63).

Regarding Claim 30, Maehara teaches a method for controlling an automatic document feeder (Figure 2, element 12 and Column 6, lines 49-50) including a document tray on which a plurality of documents can be placed (Figure 2, element 13 and Column 6, line 50),

a separating section configured to separate the documents placed on the document tray one by one (Column 5, lines 25-38), and

a feeding section feeding the document separated by the separating section to a document reading position (Column 9, line 65 – Column 10, line 33), the method comprising:

controlling a separation start timing of a next document in the separating section based on the information on the kind of document inputted in the input step (Column 9, lines 48-64, wherein by controlling the read speed, the speed at which the documents

are sent is controlled. Therefore the timing of sending the next document is dependent on this speed. Therefore this is controlling the separation between the documents within the ADF, as related to Column 8, lines 31-44).

Maehara does not teach inputting information on the kind of document.

Onuki does teach inputting information on the kind of document (Column 8, lines 48-63, wherein based on the specification, the kind of document seems to be defined as if it is a color or monochrome document).

Maehara and Onuki are combinable because they both deal with controlling the operations of a color copier.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Maehara with the teachings of Onuki for the purpose of allowing the user to define the type of document to be copied (Onuki: Column 8, lines 48-63).

6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maehara (US 5,852,501) in view of Onuki (US 6,201,944) further in view of Anderson (US 6,646,768).

Regarding Claim 23, Maehara further teaches a sensor disposed between the separating section and the feeding section and configured to detect the presence of a document (Figure 2, element 14 and Column 6, line 50).

a second separation mode in which the separation of the following document is started before the trailing edge of the documents is detected by the sensor (Column 10, lines 18-19, where the first roller occurs it is before the detection of the trailing edge), based on the information on the kind of document (Figure 13 and Column 10, lines 13-35, wherein since the documents are transferred at different speeds depending on the document type, then they are separated at different times depending on the document type).

Maehara in view of Onuki does not teach wherein the separation control section switches between a first separation mode in which the separation of the following document is started after the trailing edge of the document has been detected by the sensor, and a second separation mode in which the separation of the following document is started before the trailing edge of the documents is detected by the sensor, based on the information on the kind of document.

Anderson does teach wherein the separation control section switches a first separation mode in which the separation of the following document is started after the trailing edge of the document has been detected by the sensor (Column 6, line 53 - Column 7, line 1), and a second separation mode in which the separation of the following document is started before the trailing edge of the documents is detected by the sensor (Column 6, lines 53- Column 7, line 1), based on the information on the kind of document (wherein Maehara controls what type of document is being scanned. Since Anderson teaches that a document can be sensed using a number of sensors

then by detecting in a set up as described in Anderson, there would be more control over the speed based on Maehara).

Maehara in view of Onuki and Anderson are combinable because the both are dealing with functions of the ADF.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Maehara in view of Onuki with the teachings of Anderson to gain greater control over the feeding of the documents in the adf (Anderson: Column 9, lines 19-23).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.P.  
02/24/09

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